

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL PROBES FOR THE DETECTION OF MYCOBACTERIA

the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 3, 1997 as United States Application Serial Number 08/943,777 or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| | | | <u>Priority Claimed</u> | |
|----------------------------|---|--|-------------------------|--------------------------|
| | | | Yes | No |
| <u>1096/96</u> (Number) | <u>Denmark</u> (Country) (PCT) | <u>4. October 1996</u> (Day/Month/Year Filed)) | x | <input type="checkbox"/> |
| <u>1156/96</u> (Number) | <u>Denmark</u> (Country) (PCT) | <u>18. October 1996</u> (Day/Month/Year Filed)) | x | <input type="checkbox"/> |
| <u>0512/97</u> (Number) | <u>Great Britain</u> (Country) (PCT) | <u>5. May 1997</u> (Day/Month/Year Filed)) | x | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

| | | |
|--|--|---|
| <u>60/028392</u> (Application Number) | <u>15. October 1996</u> (Filing Date) | x |
| <u>60/029595</u> (Application Number) | <u>23. October 1996</u> (Filing Date) | x |
| <u>60/045962</u> (Application Number) | <u>8. May 1997</u> (Filing Date) | x |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| | | | | |
|-----------------------|----------|--------|-------------------|--------|
| Albert L. Jacobs, Jr. | Reg. No. | 22,211 | Joseph M. Manak | 33,013 |
| Jesse D. Reingold | Reg. No. | 20,461 | Adam B. Landa | 35,236 |
| Gerard F. Diebner | Reg. No. | 31,345 | Joseph R. Keating | 37,368 |
| Israel Nissenbaum | Reg. No. | 27,582 | Philip M Weiss | 34,751 |
| Vineet Kohli | Reg. No. | 37,003 | | |

Address all correspondence to:

Intellectual Property Group
Graham & James LLP
885 Third Avenue
New York, New York 10022
(212) 848-1000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Henrik Stender

Inventor's signature *H. Stender*

Date July 10, 1998

Residence Gentofte

Citizenship Denmark

Post Office Address Fasanhaven 5, DK-2820 Gentofte Denmark

Full name of second joint inventor, if any (given name, family name) Kaare Lund

Inventor's signature *Kaare Lund*

Date 7/10/98

Residence Frederiksberg

Citizenship Denmark

Post Office Address A.D. Jorgensensvej 193 tv, DK-2000 Frederiksberg Denmark

Full name of third joint inventor, if any (given name, family name) Tina Anderson Mollerup

Inventor's signature *Tina Anderson Mollerup*

Date 8/7 '98

Residence Lejre

Citizenship Denmark

Post Office Address Lejrevej 14, Allerslev, DK-4320 Lejre Denmark

MRU 7-27-98

08-17-1998

To the Honorable Commissioner of Patents &

1. Name of conveying party(ies):

Henrik Stender
Kaare Lund
Tina Anderson Mollerup

Additional names of conveying party attached? Yes No ☒



100794782

DAKO A/S
Produktionsvej 42
DK-2600 Glostrup
DENMARK

Additional name(s) and address(es) attached? Yes ☒
Execution Date: July 7, 1998 and July 10, 1998

ed original documents or copy thereof.
of receiving party(ies):



3. Nature of Conveyance

☒ Assignment
☐ Security Agreement

☐ Merger
☐ Change of Name

☐ Other:

4. Application Number(s) or patent numbers:

If this document is being filed together with a new application, the execution date(s) of the application is/are:

A. Patent Application No.(s)

08/943, 777

Additional numbers attached ☐ Yes ☐ No

B. Patent No.(s)

Additional numbers attached ☐ Yes ☒ No

5. Name and Address of party to whom correspondence concerning document should be mailed:

GRAHAM & JAMES LLP
Intellectual Property Group
885 Third Avenue, 24th Floor
New York, New York 10022

7. Total fee (37CFR 3.41)\$ 40.00

☒ Enclosed

☒ Charge our Deposit Account No. 07-1855
for deficiency in the above fee, and credit any
overpayment thereto.

6. Total number of applications and
patents involved: 1

8. Deposit Account No.: 07-1855

(Attach duplicate copy of this page if paying by deposit account.)

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Vineet Kohli
Name of person Signing

Signature

July 23, 1998
Date

Total number of pages comprising cover sheet: 2

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

NOVEMBER 05, 1998

PTAS

GRAHAM & JAMES LLP
VINEET KOHLI
INTELLECTUAL PROPERTY GROUP
885 THIRD AVENUE, 24TH FLOOR
NEW YORK, NY 10022



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/27/1998- *Stender*

REEL/FRAME: 9378/0381
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STENDER, HENRIK

DOC DATE: 07/10/1998

ASSIGNOR:

LUND, KAARE

DOC DATE: 07/07/1998

ASSIGNOR:

MOLLERUP, TINA ANDERSON

DOC DATE: 07/07/1998

ASSIGNEE:

DAKO A/S
PRODUKTIONSVEJ 42
DK-2600 GLOSTRUP, DENMARK

SERIAL NUMBER: 08943777

PATENT NUMBER:

FILING DATE: 10/03/1997

ISSUE DATE:



ASSIGNMENT (WOI IDE)

WHEREAS,

Henrik Stender
Fasanhaven 5
DK-2820 Gentofte
DENMARK

Kaare Lund
A.D. Jorgensensvej 193 tv
DK-2000 Frederiksberg
DENMARK

Tina Anderson Mollerup
Lejrevej 14, Allerslev
DK-4320 Lejre
DENMARK

(hereinafter referred to as ASSIGNOR), have invented and own a certain invention entitled
NOVEL PROBES FOR THE DETECTION OF MYCOBACTERIA

for which application for Letters Patent of the United States has been

☒ executed on even date herewith;

☒ filed on October 3, 1997 as Serial No. 08/943,777

WHEREAS, DAKO A/S
Produktionsvej 42
DK-2600 Glostrup
DENMARK

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to
and under said invention and the United States Letters Patent to be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of
the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which
is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby
sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest
to the said invention and all Letters Patent of the United States to be obtained therefor
on said application or any continuation, division, renewal, substitute or reissue thereof
for the full term or terms for which the same may be granted; and all Letters Patent and
applications therefor through the world, including all the rights accruing by virtue of
the International Convention for the Protection of Industrial Property.

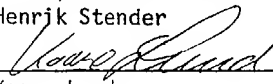
ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has
been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided
promptly with all pertinent facts and documents relating to said application, said
invention and said Letters Patent as may be known and accessible to ASSIGNOR and will
testify as to the same in any interference or litigation related thereto and will promptly
execute and deliver to ASSIGNEE or its legal representative any and all papers,
instruments or affidavits required to apply for, obtain, maintain and enforce said
application, said invention and said Letters Patent which may be necessary or desirable to
carry out the purposes hereof.

Dated: July 10, 1998

Dated: 7/7 98


Henrik Stender


Kaare Lund

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LAWAN FLETCHER, EXAMINER
ASSIGNMENT DIVISION
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